

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**KIEZ COLLINS,**

**Petitioner,**

**v.**

**WARDEN, SOUTHEASTERN  
CORRECTIONAL INSTITUTION,**

**Respondent.**

**Civil Action 2:21-cv-5073**

**Judge Edmund A. Sargus, Jr.**

**Magistrate Judge Chelsey M. Vascura**

**OPINION AND ORDER**

Kiez Collins, a state prisoner who is proceeding without the assistance of counsel, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter is before the Court to consider the Petition (ECF No. 3), the State Court Record (ECF Nos. 9, 11), and Respondent's Answer/Return of Writ (ECF No. 10). Petitioner did not file a reply to Respondent's Answer/Return of Writ. The Magistrate Judge issued a Report and Recommendation (ECF No. 12), in which she recommended that this Court deny the grounds in the Petition and dismiss the Petition with prejudice.

The Magistrate Judge specifically advised the Petitioner that failure to object to the Report and Recommendation would result in a waiver of the right to have the District Judge review the Report de novo, and would also operate as a waiver of the right to appeal the decision of the District Court adopting the R&R. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The time for objection has passed and no objection was filed.

Accordingly, the Court **ADOPTS** the Report and Recommendation (ECF No. 12), **DENIES** the Petition (ECF No. 3), and **DISMISSES** with prejudice this action. The Clerk is **DIRECTED** to close this case.

**IT IS SO ORDERED.**

**10/3/2022**  
**DATE**

**s/Edmund A. Sargus, Jr.**  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**